

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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FLOOR DEBATE

March 2, 2006 LB 663, 1215

PRESIDENT SHEEHY: Thank you, Senator Chambers. The question before the body is, shall FA523 be adopted? All those in favor vote yea; opposed, nay. Please record...or, have all voted who wish? Please record, Mr. Clerk.

CLERK: 26 ayes, 0 nays on adoption of the amendment, Mr. President.

PRESIDENT SHEEHY: FA523 is adopted. Next item, Mr. Clerk.

CLERK: Senator Baker would move to amend, AM2559. (Legislative Journal pages 867-871.)

PRESIDENT SHEEHY: Senator Baker, you're recognized to open on AM2559.

SENATOR BAKER: Thank you, Mr. President and members. AM2559 is LB 1215. It is some new subject matter to Senator Cudaback's bill. I talked to Senator Cudaback. We have no problems here. It's dealing with titled manufactured homes. And this is an area that not many people work with, but we're getting more and more manufactured homes. And this would include trailer homes also, but we're...the problem has arisen through manufactured homes. They are now required to have a title, like a vehicle, because they are transported to their sites by wheels. And the bill, LB 1215, had...it came out of committee with no opposition votes. It was 8 to 0. It's an issue that I think Senator Beutler has much more expertise in than I. But it's been a problem in that manufactured homes have been located upon, obviously, real estate, and the liens are filed then against the title. It does not show up against the real estate. So what we have done with LB 1215, now AM2559, is provide a mechanism where that person owning that modular...or, that manufactured home can file an affidavit of fixture with the county clerk. The affidavit of fixture then is the first step in surrendering the title. And once the title is surrendered through this process within AM2559, that manufactured home then becomes part of the real estate. And the reason this is so important is, then, the lienholders and so on, they do have notice and so on filed with the register of deeds and liens and so on. Now, what happens if